

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BLUE SPIKE, LLC,

Plaintiff,

v.

TEXAS INSTRUMENTS, INC.,

Defendant.

Civil Action No. 6:12-CV-499-MHS

LEAD CASE

Jury Trial Demanded

BLUE SPIKE, LLC,

Plaintiff,

v.

SOUNDHOUND, INC.,

Defendant.

Civil Action No. 6:12-CV-537-MHS

CONSOLIDATED CASE

ORAL ARGUMENT REQUESTED

Jury Trial Demanded

**DECLARATION OF KAMYAR MOHAJER IN SUPPORT OF DEFENDANT
SOUNDHOUND, INC.'S MOTION TO TRANSFER VENUE
TO THE UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF CALIFORNIA UNDER 28 U.S.C. § 1404(a)**

I, Kamyar Mohajer, state and declare as follows:

1. I am Vice President of Strategy and Planning at SoundHound, Inc.

(“SoundHound”) and provide this declaration in support of SoundHound’s Motion to Transfer Venue to the United States District Court for the Northern District of California Under 28 U.S.C. § 1404(a). I make this declaration based upon personal knowledge and investigation into the witnesses and evidence related to the systems Blue Spike LLC (“Blue Spike”) appears to be accusing of infringement in its Complaint.

2. Blue Spike contends that SoundHound’s “Sound2Sound and SoundHound software, applications, systems, and technology” (collectively, the “Accused Systems”) infringe the four patents identified in the Complaint.

3. Since its founding in 2005, SoundHound has been headquartered in Silicon Valley, California. SoundHound’s current headquarters are located in Santa Clara, California. It is SoundHound’s strategic and operational center.

4. With the exception of a few sales representatives, none of which reside in Texas, all of SoundHound’s employees work in SoundHound’s Santa Clara office. All persons that worked on the research and development of the Accused Systems work in SoundHound’s Santa Clara office, and the research and development efforts were conducted out of SoundHound’s Silicon Valley headquarters.

5. In particular, Keyvan Mohajer, Founder, President and Chief Executive Officer, developed the Accused Systems, and thus possesses knowledge relevant to the development and operation of the Accused Systems. Mr. Mohajer works in SoundHound’s Santa Clara office.

6. In addition, Tim Stonehocker, Chief Technology Officer, oversees the engineers and maintains primary responsibility for the current development and operation of the Accused Systems. Mr. Stonehocker works in SoundHound's Santa Clara office.

7. All documents and evidence, including both physical and electronic files (including source code repositories), regarding the operation of the Accused Systems reside in Santa Clara, California.

8. Kathleen McMahon, Vice President of Sales and Marketing, maintains responsibility for SoundHound's sales and marketing activities, and thus possesses relevant knowledge regarding the sales and marketing of the Accused Systems. Ms. McMahon works from SoundHound's Santa Clara headquarters.

9. SoundHound's sales and marketing team, as well as all documents relating to sales and marketing, resides in Santa Clara, California.

10. None of SoundHound's evidence relating to the Accused Systems resides in Texas. SoundHound does not maintain an office in the Eastern District of Texas, or anywhere in Texas.

11. Particularly given the location of SoundHound's evidence and witnesses concerning the Accused Systems, the United States District Court for the Northern District of California is a much more convenient and accessible forum than this Court for SoundHound and its witnesses. The need for multiple critical SoundHound employees to travel to this District to testify would cause a substantial disruption to SoundHound's business.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed in Santa Clara, California this 11th day of July, 2013.



Kamyar Mohajer